

NOTICES OF EXEMPT RULEMAKING

The Administrative Procedure Act requires the *Register* publication of the rules adopted by the state's agencies under an exemption from all or part of the Administrative Procedure Act. Some of these rules are exempted by A.R.S. §§ 41-1005 or 41-1057; other rules are exempted by other statutes; rules of the Corporation Commission are exempt from Attorney General review pursuant to a court decision as determined by the Corporation Commission.

NOTICE OF EXEMPT RULEMAKING

TITLE 12. NATURAL RESOURCES

CHAPTER 8. ARIZONA STATE PARKS BOARD

PREAMBLE

- | | |
|------------------------------------|---------------------------------|
| 1. <u>Sections Affected</u> | <u>Rulemaking Action</u> |
| Exhibit A | Amend |
- 2. The statutory authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):**
Authorizing statute: A.R.S. § 41-511.05(8)
Implementing statute: A.R.S. § 41-511.05(8)
- 3. The effective date of the rules:**
The Board traditionally has the Agency's Fees Schedule go into effect at the beginning of every calendar year. Due to legislative budget cuts and park closures, fee increases were proposed beginning Fiscal Year 2003.
Editor's note: This Notice of Exempt Rulemaking was filed in the Office of the Secretary of State July 31, 2002. Under A.R.S. § 41-1031(A) the effective date of these rules is July 31, 2002.
- 4. A list of all previous notices appearing in the Register addressing the exempt rule:**
Notice of Exempt Rulemaking: 4 A.A.R. 749, March 20, 1998
Notice of Exempt Rulemaking: 4 A.A.R. 4179, December 18, 1998
Notice of Exempt Rulemaking: 5 A.A.R. 2173, July 9, 1999
Notice of Exempt Rulemaking: 7 A.A.R. 5712, January 1, 2002
- 5. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:**

Name:	Vicky Trevino
Address:	1300 W. Washington Phoenix, AZ 85007
Telephone:	(602) 542-2155
Fax:	(602) 542-6949
E-mail:	vtrevino@pr.state.az.us
or	
Name:	Rich Evans
Address:	1300 W. Washington Phoenix, AZ 85007
Telephone:	(602) 542-7151
Fax:	(602) 542-6949
E-mail:	revans@pr.state.az.us

6. An explanation of the rule, including the agency's reasons for initiating the rule, including the statutory citation to the exemption from regular rulemaking procedures:

R12-8-109, Fees and Permits, set the fees for visitor use and commercial use at Arizona State Parks. Each year, the Arizona State Parks Board reviews its fee structure and approves adjustments for the ensuing calendar year. In its analysis, Arizona State Parks reviews fee structures of surrounding states; reviews operating and development costs of the State Park System; reviews the public demand for park services and subsequent impacts of visitor use on park resources. State Parks actively pursues public input into the fee structure through regional meetings throughout the state.

At the October 18, 2001 Board meeting, the Agency's 2002 Fee Schedule with the proposed fee changes was presented to the Board for consideration. The Board approved the changes as recommended, effective January 1, 2002.

The Board called a special meeting on June 20, 2002 in Phoenix to discuss the budget. Due to legislative budget cuts and park closures, additional fee increases and modifications were proposed to help with our extremely high revenue targets. The Board approved the changes as recommended, effective July 1, 2002.

7. A reference to any study relevant to the rule that the agency reviewed and either relied on in its evaluation of or justification for the rule or did not rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:

Not applicable

8. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:

Not applicable

9. The summary of the economic, small business, and consumer impact:

Not applicable

10. A description of the changes between the proposed rules, including supplemental notices, and final rules (if applicable):

Not applicable

11. A summary of the comments made regarding the rule and the agency response to them:

Not applicable

12. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:

Not applicable

13. Incorporations by reference and their location in the rules:

Not applicable

14. Was this rule previously made as an emergency rule?

No

15. The full text of the rules follows:

TITLE 12. NATURAL RESOURCES

CHAPTER 8. ARIZONA STATE PARKS BOARD

ARTICLE 1. GENERAL PROVISIONS

Section

Exhibit A. Fiscal Year ~~2002~~ 2003 Regular Fee Schedule

ARTICLE 1. GENERAL PROVISIONS

Exhibit A. Fiscal Year ~~2002~~ 2003 Regular Fee Schedule

**ARIZONA STATE PARKS
YEAR 2002 REGULAR-FEE SCHEDULE
Effective 1/1/02**

HISTORIC AND CONSERVATION PARK FEES

	AGE GROUPS			* GROUP DISCOUNTS		OTHER FEES	
	Ages 0-6	Ages 7-13	Ages 14 & Up	Ages 7-13	Ages 14 & up		
						Overnight Parking:	3.00
						5-Visit Permit:	20.00
						Annual Permit (Lim.):	35.00
Boyce-Thompson	(Separate Fee Schedule)					Annual Permit (Unl.):	65.00
Fort Verde	free	1.00	2.00	0.80	1.60	Commercial Retail Permit:	250.00
Hohokwi Ruins	(See Recreation Parks Below)					Commercial Rental Permit:	300.00
Jerome	free	1.00	2.50	0.80	2.00	2nd Commercial Permit:	100.00
Kartchner Caverns (tour)	free	4.00	12.00			SPECIAL USE FEES: (minimum fees charged per room or area)	
McFarland	(by donation only)			(by donation only)		Non-commercial:	25.00
Oraele	(See Recreation Parks Below)					Commercial:	25.00
Red Rock	(See Recreation Parks Below)					Damage Deposit:	25.00
Riordan Mansion	free	2.50	6.00	2.00	4.80	(commercial fees not to exceed \$10,000)	
Tombstone	free	1.00	2.50	0.80	2.00	PROGRAM FEES (per person):	
Tubac Presidio	free	1.00	2.00	0.80	1.60	Students / Interp. Program:	1.00
Yuma Territorial Prison	free	2.00	3.00	1.60	2.40	RESERVATIONS:	
Yuma Crossing	free	2.00	3.00	1.60	2.40	Kartchner Tours:	2.00
						Group Day Use Reserv.:	10.00-100.00
						Group Camping Reserv.:	25.00-100.00

* All persons in a group, regardless of age, apply toward a group's number. A group is 15 persons or more.

RECREATION PARK FEES

	DAILY ENTRANCE		NIGHTLY CAMPING			SPECIAL & CONDITIONAL RATES		
	Per Vehicle (1-4 Persons)	Individual/ Bicycle	Campsite	Hook-Up Site	Cabana or Boat Site	Campsite Per Week	Hook-Up Site	Cabana/Boat Site
Alamo	4.00	1.00	8.00-10.00	17.00		40.00-50.00	85.00	
Buckskin Mountain	6.00	1.00		17.00	20.00	50.00	85.00	75.00
Buckskin River Island	6.00	1.00	12.00			60.00	0.00	
Catalina	5.00	1.00	10.00	17.00		50.00	85.00	
Cattail Cove	7.00	1.00		17.00	10.00		85.00	50.00
Dead Horse Ranch	4.00	1.00	10.00	15.00		50.00	75.00	
Foot Hollow	5.00	1.00	10.00	17.00		50.00	85.00	
Hohokwi Ruins	4.00	1.00	10.00	15.00		50.00	75.00	
Kartchner Caverns	10.00	1.00		20.00			100.00	
Lake Havasu	7.00	1.00	12.00			60.00	0.00	
Lost Dutchman	5.00	1.00	10.00			50.00	0.00	
Lyman Lake	4.00	1.00	10.00	15.00		50.00	75.00	
Oraele	5.00	1.00					0.00	
Patagonia Lake	6.00	1.00	10.00	17.00	10.00	50.00	85.00	50.00
Picacho Peak	5.00	1.00	10.00	17.00		50.00	85.00	
Red Rock	5.00	1.00	(Camping fees charged only for education related groups: \$10.00 per group of 1-6 persons)					
Roper Lake	5.00	1.00	10.00	17.00		50.00	85.00	
Slide Rock	7.00	1.00						
Tonto Natural Bridge	5.00	1.00						

**ARIZONA STATE PARKS
FISCAL YEAR 2003 REGULAR FEE SCHEDULE
Effective 7/31/02**

HISTORIC PARK AND TOUR FEES

	AGE GROUPS			* GROUP DISCOUNTS		OTHER FEES	
	Ages 0-6	Ages 7-13	Ages 14 & up	Ages 7-13	Ages 14 & up		
Boyce Thompson	(Separate Fee Schedule)					Overnight Parking:	4.00
Fort Verde	free	1.00	3.00	0.80	2.40	Annual Permit (Lim.):	45.00
Jerome	free	1.00	4.00	0.80	3.20	Annual Permit (Unl.):	75.00
Kartchner Caverns (tour)	free	4.00	12.00			Commercial Retail Permit:	250.00
McFarland	free	1.00	3.00	0.80	2.40	Commercial Rental Permit:	300.00
Riordan Mansion	free	2.50	6.00	2.00	4.80	2nd Commercial Permit:	100.00
Tombstone	free	1.00	4.00	0.80	3.20	SPECIAL USE FEES: (minimum fees charged per room or area)	
Tubac Presidio	free	1.00	3.00	0.80	2.40	Non-commercial:	25.00
Yuma Territorial Prison	free	2.00	4.00	1.60	3.20	Commercial:	25.00
Yuma Crossing	free	2.00	4.00	1.60	3.20	Damage Deposit:	25.00
						(commercial fees not to exceed \$10,000)	
						PROGRAM FEES (per person):	
						Students / Interp. Program:	1.00
						RESERVATIONS:	
						Kartchner Tours:	2.00
						Group Day-Use Reservation:	10.00-100.00
						Group Camping Reservation:	25.00-100.00

* All persons in a group, regardless of age, apply toward a group's number. A group is 15 persons or more.

RECREATION AND CONSERVATION PARK FEES

	DAILY ENTRANCE		NIGHTLY CAMPING				SPECIAL & CONDITIONAL RATES			
	Per Vehicle 1-4 Adult Persons*	Individual/ Bicycle	Campsite	Hook-Up Site	Cabana or Boat Site	Cabin or Yurt	Campsite Per Week	Hook-Up Site	Cabana or Boat Site	Cabin or Yurt
Alamo	5.00	1.00	10.00-12.00	19.00-22.00		35.00-75.00	50.00-60.00	95-110.00		175.00-325.00
Buckskin Mountain	7.00	1.00		19.00-22.00	19.00-22.00			95-110.00	95-110.00	
Buckskin River Island	7.00	1.00	14.00-16.00				70.00-80.00			
Catalina	6.00	1.00	12.00-15.00	19.00-22.00			60.00-75.00	95-110.00		
Cattail Cove	8.00	1.00		19.00-22.00	14.00			95-110.00	70.00	
Dead Horse Ranch	5.00	1.00	12.00-15.00	19.00-22.00		35.00-75.00	60.00-75.00	95-110.00		175.00-325.00
Fool Hollow	6.00	1.00	12.00-15.00	19.00-22.00			60.00-75.00	95-110.00		
Homolovi Ruins	5.00	1.00	12.00-15.00	19.00-22.00			60.00-75.00	95-110.00		
Kartchner Caverns	10.00	1.00		22.00				110.00		
Lake Havasu	8.00	1.00	14.00-16.00				70.00-80.00			
Lost Dutchman	6.00	1.00	12.00-15.00				60.00-75.00			
Lyman Lake	5.00	1.00	12.00-15.00	19.00-22.00		35.00-75.00	60.00-75.00	95-110.00		175.00-325.00
Oracle	6.00	1.00								
Patagonia Lake	7.00	1.00	12.00-15.00	19.00-22.00	12.00		60.00-75.00	95-110.00	60.00	
Picacho Peak	6.00	1.00	12.00-15.00	19.00-22.00			60.00-75.00	95-110.00		
Red Rock	6.00	1.00	(Camping fees for educational groups only: \$12.00/group of 1-6 persons)							
Roper Lake	6.00	1.00	12.00-15.00	19.00-22.00		35.00-75.00	60.00-75.00	95-110.00		175.00-325.00
Slide Rock	8.00	1.00								
Tonto Natural Bridge	6.00	1.00				35.00-75.00				175.00-325.00

* Adult person is defined as an individual 14 years of age or older.